



PATENT
Customer Number 22,852
Attorney Docket No. 09062.0462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Thierry JULIA et al.) Group Art Unit: 2857
)
Application No.: 09/918,512) Examiner: M. Barbee
)
Filed: August 1, 2001) **Attn: BOX PATENT EXT.**
)
For: CUSTOMER-BASED)
PREDICTION METHOD AND)
SYSTEM USING NEAR)
INFRARED REFLECTANCE)
SPECTRA OF MATERIALS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**APPLICATION FOR PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. § 1.705(b)**

This Application for Patent Term Adjustment requests reconsideration of the Determination of Patent Term Adjustment ("PTO Determination") under 35 U.S.C. 154(b) received with the Notice of Allowance papers for this patent application. Applicants enclose a copy of the PTO Determination as Attachment A. Attachment B includes the PTO patent term adjustment calculation obtained from the PAIR system.

This Application is being filed concurrently with the issue fee payment for the patent application. The Application is therefore being filed in a timely manner under the provisions of 37 C.F.R. § 1.705(b). Applicants enclose the fee of \$200.00 set forth in 37 C.F.R.

§ 1.18(e) in support of this Application.

09/21/2004 RFEKADU2 00000022 09918512

04 FC:1455

200.00 DP

The patent application was filed on August 1, 2001, and is thus eligible for patent term adjustment under 37 C.F.R. § 1.702. The patent application is not subject to a terminal disclaimer. The PTO Determination states that the patent term adjustment for this patent application is **0** days. This is incorrect. The correct patent term adjustment for this patent application should be **8** days.


The patent term adjustment calculation shown in Attachment B indicates a delay by Applicants of 50 days up to January 25, 2002. This calculation is incorrect, and should be 0 days. Applicants responded to the Notice of Missing Parts on November 29, 2001. A copy of the stamped postcard for that filing is enclosed as Attachment C. Because Applicants filed the response within three months of the Notice of Missing Parts dated September 6, 2001, there was no Applicant delay of 50 days. In view of the above, the correct patent term is 8 days, which reflects a calculation of PTO delay (192 days) minus Applicants' delay (184 days).

Please grant any extensions of time required to enter this Application and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

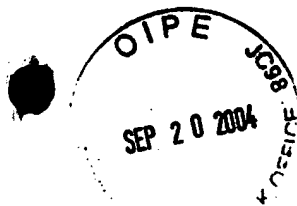
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 20, 2004

By: 
Steven J. Scott
Reg. No. 43,911



Patent Term Adjustment (PTA) for Application Number: 09/918,512			
			Days
Filing or 371(c) Date:	08-01-2001	USPTO Delay (PTO):	192
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay(APPL):	234
Post-Issue Petitions (days):	+0	Total PTA:	0
USPTO Adjustment(days):	+0	Explanation Of Calculations	
Patent Term Adjustment History			
Date	Contents Description	PTO(Days)	APPL(Days)
06-21-2004	Mail Notice of Allowance		
06-02-2004	Issue Revision Completed		
06-02-2004	Notice of Allowance Data Verification Completed		
06-01-2004	Notice of Allowability		
05-26-2004	Date Forwarded to Examiner		
05-12-2004	Amendment/Argument after Notice of Appeal		
05-12-2004	Notice of Appeal Filed	↑	89
05-12-2004	Request for Extension of Time - Granted	↑	↑
05-12-2004	Workflow incoming amendment IFW	↑	↑
11-13-2003	Mail Final Rejection (PTOL - 326)	↑	↑
11-12-2003	Final Rejection	↑	
10-27-2003	Date Forwarded to Examiner	↑	
10-14-2003	Response after Non-Final Action	↑	95
10-14-2003	Request for Extension of Time - Granted	↑	↑
04-11-2003	Mail Non-Final Rejection	192	
04-07-2003	Non-Final Rejection	↑	
05-11-2002	Case Docketed to Examiner in GAU	↑	
03-11-2002	Transfer Inquiry to GAU	↑	
02-12-2002	Application Dispatched from OIPE	↑	
01-25-2002	Application Is Now Complete	↑	50
11-29-2001	Oath or Declaration Filed (Including Supplemental)	↑	
11-29-2001	Information Disclosure Statement (IDS) Filed	↑	
09-06-2001	Notice Mailed--Application Incomplete--Filing Date Assigned	↑	↑
09-05-2001	Correspondence Address Change	↑	
08-08-2001	IFW Scan & PACR Auto Security Review	↑	
08-01-2001	Initial Exam Team nn	↑	



BCD / CGG / S JS

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: **Thierry JULIA et al.**

Serial No.: 09/918,512

Group Art Unit: 2167

Filed: November 29, 2001

Examiner: Unassigned

For: **CUSTOMER-BASED PREDICTION METHOD AND SYSTEM USING NEAR
INFRARED REFLECTANCE SPECTRA OF MATERIALS**

1. Transmittal Letter
2. Response to Notice to File Missing Parts of Application
3. Declaration and Power of Attorney
4. Submission of Assignment of Application
5. Recordation Cover Sheet
6. Submission of Substitute Drawings (with 8 sheets of drawings Figs. 1-8)
7. IDS & PTO Form 1449 (with 27 references)
8. Check in the amount of \$240.00 (1 Month Extension & Response to Missing Parts)
9. Check in the amount of \$40.00 (Recordation of Assignment)



Dated November 29, 2001

Docket No.: 06652.0462

(Due Date: 12/6/01)

SJS/bas - Please return to Mail Drop 222